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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING: PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

Written statement submitted by the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[21 December 1991]

1. The International Federation for the Protection of Ethnic, Religious, Linguistic and other Minorities wishes to draw the attention of the Commission on Human Rights to the practice of population transfer, a human rights violation largely undebated hitherto by the Commission. A firm beginning in addressing the human rights impacts of this issue has been made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

which has discussed population transfer under the agenda item "The realization of economic, social and cultural rights", and consequently adopted unanimously two resolutions on the subject during its forty-second and forty-third sessions in 1990 and 1991.

2. Population transfer is the practice whereby large numbers of people are moved or encouraged or forced to move, with direct government involvement or acquiescence, either into or away from a certain territory, without the free and informed consent of the people being moved or the people into whose territory they are being moved.

3. Population transfer includes the implantation of settlers and settlements in occupied countries and other territories already inhabited by a distinct people, displacement of people away from their traditional homelands, or into model villages, reservations or otherwise designated areas or a combination of both.

4. The practice of population transfer has affected and continues to affect numerous nations, peoples and population groups throughout the world. It inevitably has serious consequences for the enjoyment of basic human rights and freedoms of the affected peoples, including original inhabitants, removed and displaced people and the settlers themselves.

5. Population transfer through its practice and effects infringes on the majority of economic, social and cultural rights as well as civil and political rights laid down in both International Covenants. Furthermore, as the practice of population transfer often constitutes part of a larger policy directed towards distinct racial, ethnic or religious groups, it raises questions of discrimination and, in some cases, genocide. It constitutes a serious violation of the right to self-determination, pertaining to all peoples.

6. Population transfer poses a serious threat to the very survival of a people. Many peoples face the loss of cultural, religious or national identity or even extinction as a direct consequence of the practice and policy of population transfer.

7. Government-sponsored transfer of peoples may be motivated by strategic, military or political reasons. The larger government policy is aimed at altering irreversibly the demographic composition of disputed or occupied territories, thereby enabling effective control over these territories, and peoples and accelerating the process of assimilation of these peoples into a foreign and dominant society, often against their will. In this way, the outcome of elections and referenda will be influenced in their favour and the significance and threat of distinct peoples and population groups will be reduced.

8. For instance, the Government of Turkey forced a large part of the Kurdish population to move to the southern and western parts of Turkey, thereby reducing the threat of opposition and the expression of their own identity. The Government of Iraq has established designated villages, where the Kurdish population was transferred after their villages in strategic border areas were destroyed, thereby imposing effective control over the Kurds.

9. The Tibetan situation serves as another example. By providing incentives to millions of Chinese to move to the occupied territory of Tibet, Chinese settlers are now estimated to constitute a numerical majority in Tibet. The consequence is a society divided along racial lines, wherein Tibetans are reduced to second-class citizens who have no effective say in determining their own future. They are forced to assimilate and adopt foreign values, leading to a situation where any expression of dissatisfaction can effectively be kept under control.

10. The Government of the United Republic of Tanzania is currently encouraging the movement of Tanganyikans to Zanzibar aimed at influencing the outcome of a possible referendum on the island's future status.

11. An examination of problems resulting from past population transfers indicate the severity of the consequences of this practice and the obstacle these effects can pose to finding lasting and viable solutions to continuing situations of conflict.

12. For instance, in Ethiopia, non-Eritrean people transferred to Eritrea by the former regime are currently encouraged to leave, as the Eritreans do not want the outcome of the upcoming referendum to be determined by a majority of non-Eritrean voters.

13. In the process of seeking peaceful and lasting solutions to the situation in the Israeli occupied territories and in Western Sahara, the main obstacle is formed by the Israeli settlement policy and the past transfer of Moroccans into the Western Sahara.

14. Population transfer is often carried out in the name of development. Implantation of settlers in eastern Turkistan and Tibet by the Government of China is justified by the need to develop a backward society and people. The Indonesian transmigration of Javanese into West Papua, East Timor, the South Moluccas and Acheh and the Government-sponsored movement of Bengali settlers by the Government of Bangladesh into the Chittagong Hill Tracts provide additional examples. Development programmes sponsored by the international financial institutions are often directly responsible for the displacement of indigenous and other distinct peoples, who themselves do not benefit from these projects.

15. Population transfer is often a significant factor in the origin and deepening of ethnic conflict, contributing to instability, tension and violence and posing a threat to world peace and security.

16. The International Federation for the Protection of Ethnic, Religious, Linguistic and other Minorities would like to recommend that the Commission analyse the human rights impacts of population transfer and recognize the

relationship between population transfer and the violation of basic human rights and freedoms as laid down in international human rights instruments, in particular the two Covenants.

17. Current international developments reveal the convincing necessity of adequately addressing the complex issue of population transfer. The above-mentioned examples indicate the urgency of finding mutually satisfactory responses to these immediate and potentially dangerous situations, as well as developing an international legal consensus on the question of population transfer in general. Denying due attention to this practice may lead to increasingly unstable situations where the human rights of all persons concerned will inevitably face infringement.